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Letter dated 27 December 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from Bosnia and Herzegovina, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I should be grateful if you would arrange for this letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Counter-Terrorism Committee

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Annex

[Original: English]

Letter dated 27 December 2001 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Chairman of the Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

I have the honour to transmit a report by the Ministry of Foreign Affairs of Bosnia and Herzegovina concerning the steps undertaken by the authorities of Bosnia and Herzegovina on combating terrorism (see enclosure).

(*Signed*) Mirza **Kusljugic**
Ambassador
Permanent Representative of Bosnia and Herzegovina
to the United Nations

Enclosure

Report of Bosnia and Herzegovina to the Counter-Terrorism Committee pursuant to paragraph 6 of Security Council resolution 1373 (2001) of 28 September 2001

Following the September 11th terrorist attacks, UN Security Council has on September 28th, 2001, unanimously adopted resolution 1373 under the Chapter VII of the United Nations Charter. This resolution has established legally binding obligations on all the United Nations Member States, it also defined the common parameters of the international efforts in dealing with terrorists, their organizations and those who support them.

With reference to the Security Council Resolution 1373 (2001), operative paragraph 6, which calls upon Member States to report to the Committee of the Security Council on the steps taken to implement the Resolution, Bosnia and Herzegovina submits the following Report, and enlists the following steps taken:

Steps taken by Bosnia and Herzegovina:

- On September 20, the Council of Ministers of BiH designated a working group of four Deputy ministers with the assignment of drafting a state plan on combating terrorism.
- On September 24, the Council of Ministers of Bosnia and Herzegovina established the Joint Anti-Terrorist Coordination Team, among the first ones in Europe, and also adopted the Plan of Action of Institutions of Bosnia and Herzegovina on Prevention of Terrorist Activities and Actions,
- Right after the adoption of UN Security Council Resolution 1373, the Coordination Team initiated inquires with the Banking Agency of the Federation of BiH to check assets and funds of clients against the list of suspect individuals and agencies and to freeze any suspect funds without delay.
- On October 4, the Council of Ministers of BiH, on the initiative of the Coordination Team, adopted new visa policy which closely corresponds to "Schengen Visa Policy" and which is targeted towards more complete and better control of foreign entries into BiH.
- On November 11, Bosnia and Herzegovina has signed and expects to ratify in the near future UN Convention for the Suppression of the Financing of Terrorism.

The Joint Coordination Team for Realization and Monitoring of the Plan of Activities of BiH Institutions and Entities Concerning Prevention of Terrorist Activities and Actions meets once a week at least. Representatives of International Community in Bosnia and Herzegovina including OHR, UNMIBIH, SFOR, IPTF, USA and EU Embassies regularly attend and actively participate in the work of the Team.

Cooperation and coordination between the representatives of International Community and institutions of BiH has improved at all levels, work has been fostered regarding all activities stipulated by the Plan of Activities of BiH Institutions and Entities Concerning Prevention of Terrorist Activities and Actions, in particular between Ministries of Interior, State Border Service of BiH, INTERPOL and Intelligence Services in BiH.

LEGISLATIVE MEASURES:

In terms of upgrading of the existing legal regulations, the Coordination Team has urged the adoption of set of laws from the CIPS Project, by the Parliamentary Assembly of BiH. Those include Law on Identity Card, Law on Identity Code, Law on Residence-Domicile of BiH Citizens, Law on Central Evidence and Data Exchange and Law on Protection of Personal Data. Also, in regard to normative-legal regulations, in cooperation with the representatives of International Community, a set of laws had been considered and forwarded to competent institutions for consideration and adoption. This relates to either passing of roof laws at the State level or in changes of and amendments to the existing statutory solutions. This set consists of Act amendments of the Criminal Law of both Entities, enactment of the Criminal Law and the Law on Criminal Proceedings of BiH, Act amendments of the Law on Asylum and Immigration, Act amendments of the Law on BiH Citizenship, etc.

Further measures have been undertaken concerning the enactment of the Law on Intelligence Services in the Federation of BiH, where the competent authorities, by transformation of the management in the two existing services, AID and SNS, considerably speeded up the process of integration of intelligence services throughout the Federation of BiH. This to a large extent resulted in far better efficiency and more organized work of these services, which had a positive impact for the work of the Coordination Team. For the first time since 1992, full cooperation has been established between the two above mentioned intelligence services.

Furthermore, the Presidency of BiH initiated the enactment of the Law on Agency for Protection and Investigation (at the state level – investigation of terrorist actions and other forms of organized crime).

INVESTIGATION AND PROSECUTION OF SUSPECTED ACTS AND PERSONS:

The Ministries of Interior of the Entities have formed specialized teams to fight against terrorism together with competent courts and prosecutors' offices, thus improving cooperation in regard to initiation of investigations.

The specialized teams have detained eighteen (18) persons (some of actions taken in cooperation with SFOR) who may be connected with or involved in terrorist actions in BiH and abroad, out of whom eight (8) persons have been already deported to their countries of origin. Six (6) persons are currently in custody because of a suspected involvement in criminal actions in cooperation with persons identified as members of terrorist networks of international terrorism. Documentation and evidence gathering and processing of terrorist

activities is under way for fourteen (14) other persons, all naturalized foreigners. The process of identification, location and reexamination of the work of eleven (11) international foreign humanitarian organizations is also under way, as well as of the work of the associations of citizens of BiH, for whom there is suspicion of dealing, indirectly or directly, with suspected terrorist organizations.

FINANCIAL ACTIVITIES:

In regard to operative paragraph 1 of the Security Council Resolution 1373/2001, Prevention and Suppression of Financing of Terrorist Acts, the Coordination Team requested from the Banking Agency of the Federation of BiH to check assets and funds of clients against the list of suspect individuals and agencies and to freeze any suspect funds without delay.

The large scale investigation was conducted in FBiH and most of the banks within FBiH had no records of any assets related to the list of suspects. However, upon this request Vakufska Banka froze the account of a citizen of Saudi Arabia, which amounts to 3,5 million DM, as well as the account of an Investment Company from the Middle East, which also amounts to 3,5 million DM.

The Plan of Activities, included implicitly the collection of data for all individuals and organizations that refer to examination of financial transactions, in other words, accounts and deposits (in accordance with the Security Council Resolution No.1333), so that besides the mentioned ones, investigation of other 3000 (aprox.) individuals is also under way.

REGISTRATION AND INFORMATION ACTIVITIES:

Measures have been taken concerning completion of registration of international, humanitarian and other foreign organizations, as well as of listing and registration of personnel employed in those organizations.

Measures have been undertaken in terms of urgent solution and rendering expert assistance in overcoming the problems of direct, protected and prompt information exchange (putting together of telecommunications, networks of PTT in BiH and establishment of a special system of communications) between Entities' Ministries of Interior, and within the Ministries (FBiH), BiH State Border Service, BiH INTERPOL and other BiH and Entities' institutions working on issues of prevention of terrorist actions, that is, between the said local institutions and all present representatives of International Community. In this respect, an issue of establishment of Police and Border Control Information System has been planned and it will become fully operational soon. This system would include all police forces in BiH and State Border Service (SBS).

BORDER CONTROL ACTIVITIES:

The process of implementation of SBS BiH has been speeded up throughout BiH (currently 75% of border covered by the State Border Service, as well as airports and completion of establishing of full control system of the two remaining airports is a matter of weeks). Full deployment of State Border Service of BiH has been planned to be implemented in March 2002, instead of December 2002.

A range of measures has been undertaken regarding establishment of functional BiH Civil Aviation Directorate and more efficient work of Customs Administration in the Entities.

Special regime of entry has been brought into operation for foreign citizens coming by airplanes – Landing Card (entry form for foreigners entering BiH).

Within the scope of work of two Commissions of the Council of Ministers of BiH, meticulous and systematic revision has been carried out of all papers on citizenship and passports issued to the persons of foreign origin from 1992 till October 2001.

The Council of Ministers of BiH, on the initiative of the Coordination Team, adopted new visa policy which is by its content very similar to "Schengen one" aimed at more complete and better control of foreign entries into BiH.

OTHER ACTIVITIES:

The initiative has been given for establishment of the Center for Special Police Training which is supposed to be sponsored by EU.

The Coordination Team, at its regular weekly meetings, further undertakes all the measures and actions for the purpose of sustaining efforts in the coming months and for the better realization of activities stipulated by the said Plan.